

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIAH HANSON, AN INDIVIDUAL, MT PRODUCTIONS, INC., A CALIFORNIA CORPORATION, AND MARIAH HANSON DBA CLUB SKIRTS AND MT PRODUCTIONS

Case No. C 05 4146 MMC

**STIPULATION AND ORDER
REGARDING PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Plaintiffs

V

GIRL BAR, INC., A CALIFORNIA
CORPORATION, GB PRODUCTIONS, A
CALIFORNIA CORPORATION, ROBIN
GANS, AN INDIVIDUAL, SANDY SACHS,
AN INDIVIDUAL.

CASE FILED: OCTOBER 13, 2005
JUDGE: HON. MAXINE M. CHESNEY

Defendants

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1 The Motion for Preliminary Injunction (the “Motion”), filed by Plaintiffs ,
 2 MARIAH HANSON, MT PRODUCTIONS, INC., and MARIAH HANSON dba CLUB
 3 SKIRTS and MT PRODUCTIONS (collectively “Plaintiffs”), came on for hearing before
 4 the above captioned Court, on December 20, 2005 with Eileen R. Ridley and Michael A.
 5 Naranjo of Foley & Lardner LLP and Jennifer J. Hagan of the Hagan Law Firm
 6 appearing on behalf Plaintiffs and Valerie F. Horn of Valerie F. Horn & Associates, a
 7 PLC appearing on behalf of Defendants, GIRL BAR, INC., GB PRODUCTIONS,
 8 ROBIN GANS, AND SANDY SACHS (collectively “Defendant”).

9 Pursuant to the ruling of the Court, the parties – through their counsel – stipulate
 10 to the following:

11 [1] Defendants shall, within twenty-four (24) hours after the signing of this
 12 order, immediately remove from any and all websites they maintain related to the 2006
 13 “Dinah Shore Weekend” (including but not limited to “girlbar.com” and
 14 “dinahshoreweekend”) the following statement “Our Wyndham Hotel guests should
 15 know that the pool area is reserved Saturday and Sunday for our parties and not available
 16 to registered guests unless they present a valid weekend pass or purchase a ticket at the
 17 door”;

18 [2] Plaintiffs and Defendants shall, within twenty-four (24) hours after the
 19 signing of this order, immediately include the following statement on any and all
 20 websites they maintain related to the 2006 “Dinah Shore Weekend” (including but not
 21 limited to “girlbar.com”, “dinahshoreweekend.com”, “thedinah.com” and
 22 “clubskirts.com”): “If you have a Club Skirts or Girl Bar valid pass or ticket you will be
 23 admitted to the Wyndham Hotel pool parties on Saturday and Sunday.” Defendants shall
 24 place said statement where the language described in paragraph 1 was removed.

25 [3] With respect to the sale of tickets to walk-in customers to the 2006 “Dinah
 26 Shore Weekend” Wyndham Hotel pool parties, each party shall be represented by and
 27 ticket sales shall be performed by two separate cashiers – one designated by and acting
 28 for Club Skirts and another designated by and acting for Girl Bar. Each cashier shall be

1 located at the entrance to the pool party in the same place and parallel to each other.
2 Ticket sales to walk-in customers will be accomplished in an alternating manner so that
3 the revenue from the ticket sales will be evenly split between Plaintiffs and Defendants
4 (*i.e.*, the first walk-in customer will be directed to purchase her ticket from Girl Bar while
5 the second will be directed to purchase her ticket from Club Skirts with the pattern
6 repeating through all walk-in customers who are admitted); and

7 [4] Neither Plaintiffs nor Defendants shall prevent or prohibit attendees with
8 valid passes or tickets from Club Skirts or Girl Bar from entry to the 2006 “Dinah Shore
9 Weekend” Wyndham Hotel pool parties on Saturday and Sunday.

10 IT IS SO STIPULATED.

11 DATED: December 28, 2005

FOLEY & LARDNER LLP

12
13 /S/ Eileen R. Ridley

14 EILEEN R. RIDLEY
15 ATTORNEYS FOR PLAINTIFFS,
16 MARIAH HANSON, MT
17 PRODUCTIONS, INC., AND
MARIAH HANSON DBA CLUB
SKIRTS

18 DATED: December 28, 2005

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28 VALERIE F. HORN &
ASSOCIATES, A PLC

/S/ Valerie F. Horn

VALERIE F. HORN
ATTORNEYS FOR DEFENDANTS,
GIRL BAR, INC., A CALIFORNIA
CORPORATION, GB
PRODUCTIONS, A CALIFORNIA
CORPORATION, ROBIN GANS, AN
INDIVIDUAL, SANDY SACHS, AN
INDIVIDUAL

The Court, having considered the pleadings in this matter as well as all papers
submitted in support of, and in opposition to, said motion, and having heard the argument

1 of counsel and reviewed the above stipulation of the parties - and good cause appearing -
 2 hereby GRANTS the Motion as follows:

3 [1] Defendants shall, within twenty-four (24) hours after the signing of this
 4 order, immediately remove from any and all websites they maintain related to the 2006
 5 “Dinah Shore Weekend” (including but not limited to “girlbar.com” and
 6 “dinahshoreweekend”) the following statement “Our Wyndham Hotel guests should
 7 know that the pool area is reserved Saturday and Sunday for our parties and not available
 8 to registered guests unless they present a valid weekend pass or purchase a ticket at the
 9 door”;

10 [2] Plaintiffs and Defendants shall, within twenty-four (24) hours after the
 11 signing of this order, immediately include the following statement on any and all
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 13 limited to “girlbar.com”, “dinahshoreweekend.com”, “thedinah.com” and
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 25 the second will be directed to purchase her ticket from Club Skirts with the pattern
 26 repeating through all walk-in customers who are admitted); and

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 28 valid passes or tickets from Club Skirts or Girl Bar from entry to the 2006 “Dinah Shore

1 Weekend" Wyndham Hotel pool parties on Saturday and Sunday.

2 The Motion as to trademark violation and in all other respects is DENIED.

3 **IT IS SO ORDERED.**

4 DATED: December 30, 2005

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7 HON. MAXINE M. CHESNEY
8 U.S. DISTRICT COURT JUDGE – NORTHERN
9 DISTRICT OF CALIFORNIA
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